1	JAMES R. GREINER, ESQ. CALIFORNIA STATE BAR NUMBER 123357
2	LAW OFFICES OF JAMES R. GREINER 555 UNIVERSITY AVENUE, SUITE 290
3 4	SACRAMENTO, CALIFORNIA 95825 TELEPHONE: (916) 649-2006 FAX: (916) 920-7951
5	ATTORNEY FOR DEFENDANT
6	JAVIER JIMENEZ GOMEZ
7	IN THE UNITED STATES DISTRICT COURT FOR THE
8	EASTERN DISTRICT OF CALIFORNIA
9	UNITED STATES OF AMERICA,) CR.NO.S-03-082-EJG
10	PLAINTIFF, STIPULATION AND
11) ORDER TO CONTINUE STATUS v.) CONFERENCE TO
12	JAVIER JIMENEZ GOMEZ, et al., SEPTEMBER 7, 2007
13 14	DEFENDANTS.
15)
16	
17	Plaintiff, the United States of America, by its counsel, Assistant United
18	States Attorney, Ms. Mary Grad, and defendant, JAIVER JIMENEZ GOMEZ,
19	represented by Mr. James R. Greiner, hereby stipulate and agree that the status
20	conference calendared for Friday, August 24, 2007, at 10:00 a.m., before the
21	Honorable Senior District Court Judge, Edward J. Garcia, shall be continued to
22	Friday, September 7, 2007, at 10:00 a.m
	Colleen Lydon, the Court's deputy clerk, was contacted by counsel to check the
23	proposed date and the date of Friday, September 7, 2007, was open and available for
2425	the Court for a further status hearing date. No trial date has been set. The defendant is
26	in custody.
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SPEEDY TRIAL ACT-EXCLUSION OF TIME

The parties agree and stipulate the Court can find an exclusion of time from the Speedy Trial Act, Title 18 U.S.C section 3161, et seq., based on the needs of counsel to prepare pursuant to Title 18 U.S.C. section 3161(h)(8)(B)(iv) and Local Code T-4; the parties stipulate and agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendants in a speedy trial, Title 18 U.S.C. § 3161(h)(8)(A); the parties agree and stipulate that the case, based upon the amount of discovery including but not limited to the wire taps and volume of tape recordings, is complex within the meaning of Title 18 U.S.C. section 3161(h)(8)(B)(ii), for the following factual reasons:

1-The government has provided to defense counsel over 700 pages of hard discovery and 2 CD dics which are the wire tap interceptions which from the brief over view by defense counsel has easily over 1,000 telephone conversations on each of the CD's and each telephone conversation recording is of varying time durations. The hard copy discovery needs to be reviewed and reviewed with the client and each of the CD's that appears to have easily over 1,000 telephone calls on each CD needs to be reviewed and reviewed with the client.

The review of this massive amount of documentation is continuing and the additional time is needed to continue to review this material and to review this material with the client. In addition, the additional time is needed by the defense to get a general broad handle on the potential issues in this case so that a plan of investigation can be reasonably formulated. The review of this material is on-going and time consuming. It is taking counsel longer than first anticipated to review all of the thousands of telephone calls on the CD. Defense counsel is working diligently in the reviewing of this material. The defendant is in custody in the Sacramento County Jail.

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1	2- The government and the defense have been in plea negotiations over many
2	weeks. The government has provided additional discovery throughout this time
3	period, and even yesterday provided additional discovery. The additional discovery
4	has and is being reviewed with the defendant as it is being produced by the
5	government.
6	3-The defendant has been in consultation with all but one or two of his family
7	members to discuss the decision facing the defendant. With the government providing
8	additional discovery, with the defendant attempting to communicate with all of his
9	family members, the additional short time of the continuance will allow for this to
10	happen.
11	4- The government and the defense have been mutually attempting in good
12	faith to reach agreements on sentencing issues so as to resolve this matter short of
13	trial. This additional short continuance will allow the on going negotiations in good
14	faith to continue.
15	Finally, James R. Greiner has been authorized by counsel for the government
16	via telephone conference to sign this stipulation on her behalf.
17	Respectfully submitted,
18	McGREGOR W. SCOTT UNITED STATES ATTORNEY
19	DATED: 8-22-07
20	/s/ MARY GRAD authorized by telephone
21	MARY GRAD
22	ASSISTANT UNITED STATES ATTORNEY ATTORNEYS FOR THE PLAINTIFF
23	DATED 0.22.07
24	DATED: 8-22-07
25	/s/ JAMES R. GREINER
2627	JAMES R. GREINER ATTORNEY FOR DEFENDANT JAVIER JIMENEZ GOMEZ
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ORDER FOR GOOD CAUSE SHOWN, IT IS SO ORDERED. DATED: August 23, 2007. /s/ Edward J. Garcia EDWARD J. GARCIA UNITED STATES SENIOR DISTRICT COURT JUDGE